

PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street, 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07102  
Attorney for State Board of Medical Examiners

**FILED**

APRIL 8, 2010

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

By: Doreen A. Hafner  
Deputy Attorney General  
(973) 648-7454

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	
	:	Administrative Action
ALEXANDER B. KUDRYK, M.D.	:	
License No. 25MA05346900	:	CONSENT ORDER
	:	
TO PRACTICE MEDICINE AND SURGERY	:	
<u>IN THE STATE OF NEW JERSEY</u>	:	

This matter was most recently opened to the New Jersey State Board of Medical Examiners ("Board") by way of Alexander B. Kudryk, M.D. ("Respondent") petitioning for the reduction of urine monitoring performed under the auspices of the Professional Assistance Program ("PAP").

Respondent has a long history of abuse of alcohol and involvement with the PAP. In May of 1991, Respondent entered an inpatient alcohol rehabilitation program and voluntarily ceased to practice medicine. A Consent Order was filed in September of 1991 which permitted Respondent to practice medicine pursuant to stringent restrictions. In May of 1993, another Consent Order was

**CERTIFIED TRUE COPY**

filed in which certain restrictions were relaxed and Respondent agreed to refrain from seeking modification of the Order for a minimum of one year. Respondent was granted an unrestricted license on May 15, 1995.

Respondent's history also includes the entry of another Consent Order on January 16, 2001 following the Board's finding that he had failed to inform the PAP about his consumption of alcohol on May 30, 1999 and his subsequent arrest and conviction for Driving Under the Influence of Alcohol/Drugs ("DUI"). The Board also found that Respondent had failed to disclose his DUI conviction on his Controlled Dangerous Substances Annual Renewal Form. In addition, the Board found that Respondent failed to inform the PAP in a timely manner of his improper monitoring of another physician's urine samples on behalf of the PAP. Pursuant to this Consent Order, the Respondent was suspended from the practice of medicine and surgery for three months but this period of suspension was stayed and was served as a period of probation.

Respondent's license to practice medicine was automatically suspended on April 26, 2002 upon receipt of a letter dated April 22, 2002 from Louis E. Baxter, M.D., F.A.S.A.M., Executive Medical Director of the PAP, which gave notice that Respondent had admitted to suffering a relapse into the abuse of alcohol. The Respondent notified the PAP of this most recent relapse after being involved in an alcohol-related automobile accident on April 19, 2002.

On August 18, 2003, Respondent's license to practice medicine was reinstated with restrictions, including but not limited to, random weekly urine screens for the life of his license.

Respondent now seeks the reduction in random urine screens from weekly to twice a month. Dr. Baxter in a letter to the Board supports Respondent's request for the reduction in random urine screens. The Board considered the fact that Respondent is now more than seven and one half years in ongoing, documented recovery. The Board also acknowledges that Respondent has been compliant with all the Board's mandates and the PAP's recommendations for his continued recovery. The Board was of the opinion that this reduction in random urine screening is warranted by Respondent's compliance and demonstrated commitment to sobriety. Notwithstanding this relaxation of the restriction, the Board reiterates its prior position that it will not look favorably upon any future lapse in sobriety.

It appearing that Respondent has read the terms of the within Order and understands their meaning and effect and consents to be bound by same, and it further appearing that the Board finds that this Order is adequately protective of the public health, safety, and welfare, and for good cause shown,

ACCORDINGLY, IT IS on this 17TH day of MARCH, 2010,

ORDERED that:

1. The license of Respondent Alexander B. Kudryk, M.D. to practice medicine and surgery in this State shall have the following conditions:

a. Respondent's practice of medicine shall be restricted to practice as an employee in a structured group or institutional setting with notification to his employers of this Order. He shall not practice medicine in a solo capacity.

b. Respondent shall maintain absolute abstinence from all psychoactive substances unless prescribed by a treating physician aware of his history of alcohol abuse and for a documented medical condition and in the usual course of the physician's medical practice with notification to the Executive Medical Director of the Professional Assistance Program.

c. Respondent shall demonstrate regular attendance at the support group of Alcoholics Anonymous at a frequency to be determined by the Medical Director of the Professional Assistance Program.

d. Respondent shall continue counseling aftercare with Mr. Harold Clotworthy or another Board-approved therapist at a frequency to be determined by the Medical Director of the Professional Assistance Program.

e. Respondent shall submit to random, twice a month urine monitoring under the auspices of the Professional Assistance

Program for the life of his license.

f. Respondent shall become knowledgeable about any and all foods or food additives or other products which may confound the validity of urine screening and shall refrain from ingesting or otherwise using or employing any such product.

g. Respondent shall comply with face-to-face visits with a representative of the Professional Assistance Program at a frequency to be determined by the Medical Director of the Professional Assistance Program.

h. Respondent shall be responsible to ensure that the Professional Assistance Program supplies quarterly reports to the Board regarding his progress. An immediate (within 24 hours of awareness) report both orally and in writing, shall be made by the Professional Assistance Program to the Board of any information that Respondent engaged in any violation of any laws regarding controlled dangerous substances or any positive urine screen or failure to appear for urine monitoring. Further, Respondent expressly waives any claim to privilege or confidentiality that he may have concerning the above outlined reports and disclosures by the Professional Assistance Program to the Board and specifically agrees to the use of such documents by the Board in connection with licensure and disciplinary actions.

i. Respondent shall be responsible for all costs associated with the monitoring program as outlined herein.

2. Respondent hereby consents to the Professional Assistance Program reporting to the Board any indication of a slip, relapse, non-compliance with the recovery program or any use of psychoactive substances unless prescribed by a treating physician. There is to be immediate notification, by name, to the Board's Executive Director and Medical Director.

3. In the event, upon the Board's receipt of any information which the Board in its sole discretion deems reliable, that Respondent has materially failed to comply with any of the conditions set forth above, or any report of a confirmed positive urine, or a prima facie showing of any abuse, possession or distribution, Respondent consents to the entry of an Order resulting in the immediate automatic temporary suspension of his license. Said suspension is to be memorialized in a public State Board of Medical Examiner's Order.

4. Respondent shall have the right to apply for removal of the automatic suspension on two(2) days notice but in such event shall be limited to a showing that the urine tested was not his or was a false positive.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS

By: 

Paul C. Mendelowitz, M.D.  
Board President

I agree to be bound by the terms  
of this Consent Order.

Alexander B. Kudryk, M.D.  
Alexander B. Kudryk, M.D.

03/17/2010  
Date

Consented to on behalf of the Professional Assistance Program.

L. E. Baxter  
Louis E. Baxter, M.D., F.A.S.A.M.  
Executive Medical Director  
Professional Assistance Program

3/25/10  
Date